

REMARKS

In the final Office action, the Office examined claims 1-24 and rejected same. With this paper, various of the claims are changed, claims 2, 11, 12, 14, 16, 19-24 are canceled, and claims 25-49 are added. Thus, claims 1, 3-10, 13, 15, 17-18, and 25-49 (i.e. 38 claims in all) are now pending.

Changes to the examined claims

Some of the changes to the claims are believed to be changes purely of form. For example, parenthetical reference labels are eliminated. See MPEP § 608.01(m) (the use of reference characters is considered as having no effect on the scope of the claims). Also, "characterized by" is replaced with "comprising." See MPEP § 2111.03 (the transitional term "comprising" is synonymous with "characterized by"). In addition, "characterized in that" is replaced with "wherein," and the use of the phraseology "steps/step of" is eliminated.

In addition, the claims are now changed to make more clear that a "contact/second user" is a person or entity identified by an identifier in a data store also holding bearers so as to be related to the contact/ second user via the identifier. Thus, the invention allows trying a different list of possible bearers for different contacts.

Rejections under 35 USC §102

At section 2 of the Office action, claims 1-9, 13-18 and 20-23 are rejected under 35 USC 102(e) as being anticipated by Kukkohovi (US 6,119,003).

Applicant respectfully submits that the claims as now amended clearly distinguish the invention from Kukkohovi.

Kukkohovi addresses the problem of how to transparently transfer from one network to another always trying to arrange for

a connection via a favored network (even during a call). Such a transfer can be before or during a conversation. Kukkohovi discloses that the networks (different bearers) can be arranged in an ordered or prioritized list that is stored in the terminal.

All of the examined claims now include as limitations (directly or by virtue of their dependencies) storing bearers so as to be associated with a contact via an identifier for the contact, and then using the identifier for determining bearers to try in establishing a connection with the contact. Kukkohovi provides no such teaching.

Accordingly, applicant respectfully requests that the rejections under 35 USC §102 of the claims still pending be reconsidered and withdrawn.

Rejections under 35 USC §103

Claims 10-12, 19 and 24 are rejected under 35 USC §103 as being unpatentable over Kukkohovi in view of U.S. Pat. App. Pub. No. 2004/0243684.

On at least the ground that all the claims rejected under 35 USC §103 and still pending depend from one or another of the independent claims all believed allowable as set out above, applicant respectfully requests that the rejections under 35 USC §103 of the claims still pending be reconsidered and withdrawn.

New claims

New claims 25-47 all recite the same features noted above as distinguishing the invention from Kukkohovi, i.e. storing bearers so as to be associated with a contact via an identifier for the contact, and then using the identifier for determining bearers to try in establishing a connection with the contact.

New claims 48-49 both recite receiving/ means for receiving an input from a user to provide a connection for communication

with a contact. It is believed that these further limitations even further distinguish the invention from what is disclosed by Kukkohovi. As noted, Kukkohovi is directed to maintaining a network connection by switching between two or more wireless networks based on a certain criterion to automatically select a "best" network/bearer for maintaining the network connection. The invention as in claims 48 and 49, in contrast to the teachings of Kukkohovi, is directed to maintaining a list of contacts, each contact having associated with it possibly two or more bearers for establishing a connection to the contact upon receiving a connect request, wherein the selection of the bearer can be done according to a predefined criteria. Kukkohovi does not teach either receiving a command to establish communication or the contact list with associated bearers, and thus a *prima facie* case for anticipation cannot be made for the invention as in new dependent claims 47 and 48.

Conclusion

For all the foregoing reasons it is believed that all of the claims still pending are in condition for allowance and their passage to issue is earnestly solicited. Applicant's attorney urges the Examiner to call to discuss the present response if anything in the present response is unclear or unpersuasive.

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Date

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